

The parties stipulated that claimant sustained a work-related injury through a series of accidents up to May 1, 1996. Because the parties could not agree upon claimant's functional impairment rating, by mutual agreement the Judge appointed Brian E. Healy, M.D., to perform an independent medical examination. The Judge then found Dr. Healy's functional impairment opinion the most credible and used that rating to award claimant a 12 percent permanent partial general disability.

The only issue on this appeal is the nature and extent of claimant's injury and impairment.

The respondent and its insurance carrier contend that Judge Sample did not give appropriate weight to the testimony of treating physician, Dr. Bradley Wayne Storm, who testified that claimant had a 5 percent impairment to each upper extremity or a 6 percent impairment to the whole body.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

After reviewing the entire record, the Appeals Board finds as follows:

- (1) Steven Overstreet developed bilateral carpal tunnel syndrome while working for Midwest Conveyor Co., Inc. In June 1996, he underwent bilateral carpal tunnel release surgery.
- (2) The Appeals Board affirms the Judge's conclusion that Mr. Overstreet has a 12 percent whole body functional impairment as a result of his bilateral upper extremity injury. That rating was provided by Brian Healy, M.D., the physician the Judge appointed to provide an independent and unbiased opinion of impairment.
- (3) The Appeals Board adopts the findings and conclusions set forth in the Award.

AWARD

WHEREFORE, the Appeals Board affirms the Award dated August 4, 1998, entered by Administrative Law Judge Julie A. N. Sample.

IT IS SO ORDERED.

Dated this ____ day of November 1998.

BOARD MEMBER

BOARD MEMBER

BOARD MEMBER

c: James E. Martin, Overland Park, KS
Gary R. Terrill, Overland Park, KS
Julie A. N. Sample, Administrative Law Judge

STEVEN OVERSTREET

3

DOCKET NO. 213,421

Philip S. Harness, Director